



P O Box 13222  
Sacramento CA 95813-6000

September 12, 1997

Mr. Wayne Praskins  
Project Manager  
U.S. Environmental Protection Agency  
75 Hawthorne Street (SFD-7)  
San Francisco, California 94105

Re: CBI Claim Substantiation

Dear Mr. Praskins:

The Baldwin Park Operable Unit Steering Committee (BPOU-SC) hereby responds to EPA's letter of August 28, 1997 regarding the above-referenced. The BPOU-SC believes that portions of the August 26, 1997 BPOU Phase 1 Treatability Study Workplan (Perchlorate in Groundwater) (Phase 1 Workplan) submitted to U.S. EPA are in fact confidential business information (CBI) and that U.S. EPA must treat such information accordingly. In substantiation, the BPOU-SC provides the following information:

1. The BPOU-SC asserts that all of Sections 4.5 and 5.0 on page 8, all of Section 5.0 on page 9, and all of Sections 6.0 and 6.1 on page 10 of the Phase 1 Workplan are entitled to confidential treatment as CBI.
2. The BPOU-SC requests confidential treatment of the identified CBI material until October 1, 1999.
3. The BPOU-SC and Aerojet-General Corporation have closely protected this CBI information via confidentiality agreements regarding the CBI information.
4. The CBI has not been disclosed to others unless under strict contractual confidentiality agreements.
5. The BPOU-SC is not aware of any pertinent confidentiality determinations by a Federal agency.

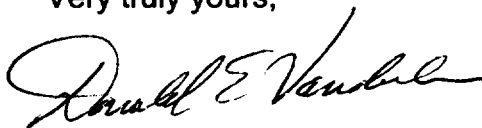
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6. The BPOU-SC asserts that disclosure of the CBI will likely result in substantial harm to itself and Aerojet's competitive position. The basis for such harm is the substantial costs paid by Aerojet to develop this technology and pilot test it. Disclosure of the CBI by EPA will prevent Aerojet from licensing the process know-how it has developed.

7. The BPOU-SC does not assert that the CBI was submitted voluntarily.

Please advise if you need any further information.

Very truly yours,

A handwritten signature in black ink, appearing to read "Donald E. Vanderkar". The signature is fluid and cursive, with the first name "Donald" being more prominent.

Donald E. Vanderkar  
Director, Environmental Restoration  
Programs

cc: Lewis Maldonado, Esq.  
Assistant Regional Counsel  
U.S. Environmental Protection Agency  
75 Hawthorne Street  
San Francisco, California 94105